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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/739,354	12/18/2003	Chad M. Fors	CE10577R	9648
22917	7590	07/23/2009		
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			EXAMINER JACKSON, JENISE E	
			ART UNIT 2439	PAPER NUMBER
			NOTIFICATION DATE 07/23/2009	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.US@motorola.com

# Office Action Summary

**Application No.**

10/739,354

**Applicant(s)**

FORS ET AL.

**Examiner**

JENISE E. JACKSON

**Art Unit**

2439

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

#### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/5/09 has been entered.

#### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 4/23/09 was filed after the mailing date of the Final rejection on 2/5/09. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Patel(7,475, 241).

5. As per claims 1, 11, Patel et al. discloses a method of providing authentication services for applications that are running on a client and requiring access to a network based server(, the method comprising: establishing a network connection further comprising an authentication with the network(see col. 2, lines 53-63); generating, responsive to the authentication, a first dynamic seed(seed is derived from key information that includes a random number) locally at the network based server(i.e. home agent/AAA server)(see col. 5, lines 13-15, col. 7, lines 15-27, col. 8, lines 66-67, col. 9, lines 1-11); generating, responsive to authentication, a second dynamic seed(seed is derived from key information that includes a random number) locally at the client(i.e. mobile node) without utilizing the first dynamic seed(the client and server generate the seeds independently of each other thus the first dynamic seed is not used to generate the second dynamic seed)(see col. 5, lines 13-15, col. 7, lines 15-27, col. 8, lines 66-67, col. 9, lines 1-11), wherein the generated second dynamic seed is consistent with the first dynamic seed(consistent because they use the same formula)(see col. 8, lines 66-67, col. 9, lines 1-2); generating a first application key(i.e. shared key) independently at the network based server corresponding to the locally generated first dynamic seed, wherein the first application key is generated without the client intervention; generating a second application key independently at the client corresponding to the locally generated second dynamic seed, wherein the second application key is generated without utilizing the first application key(see col. 5, lines 13-15, col. 7, lines 15-27, col. 8, lines 66-67, col. 9, lines 1-11); and providing the generated first application key to facilitate authenticating an application at the network based server and the generated second application key to facilitate authenticating an application at the client(see col. 7, lines 45-52).

6. As per claim 2, Patel discloses generating the first application key further comprises storing the first application key at the network based server for subsequent retrieval to facilitate the authenticating an application(see col. 6, lines 66-67, col. 7, lines 1-14) and wherein generating the second application key further comprises storing the second application key at the client for subsequent retrieval to facilitate the authenticating an application(see col. 11, lines 55-67, col. 12, lines 1-9).
7. As per claim 3, Patel discloses wherein generating the first application key further comprises generating a plurality of application keys where each of the plurality of keys corresponds to a different application and wherein generating the second application key further comprises generating a plurality of application keys where each of the plurality of keys corresponds to a different application (see col. 12, lines 9-33).
8. As per claims 4, 14, Patel discloses providing the first application key further comprises providing an application seed and generating keying information specific to the application and wherein providing the second application key further comprises providing an application seed and generating keying information specific to the application (see col. 5, lines 13-15, col. 7, lines 15-27, col. 8, lines 66-67, col. 9, lines 1-11).
9. As per claim 5, Patel discloses wherein providing the first application key further comprises providing a new application key every time the authenticating the application is required and wherein providing the second application key comprises providing a new application key every time the authenticating the application is required(see col. 9, lines 44-55).
10. As per claim 6, Patel discloses providing the first application key further comprises providing the first application key corresponding to a time duration within which the first

application key is valid and wherein providing the second application key further comprises providing the second application key corresponding to a time duration within which the second application key is valid (see col. 9, lines 25-33, col. 13, lines 8-11).

11. As per claim 7, Patel discloses generating the first dynamic seed further generating a new dynamic seed each time an authentication with the network occurs, the generating the first application key further comprises generating a new application key corresponding to the new dynamic seed, and the providing the first application key further comprises providing the new application key (see col. 5, lines 13-15, col. 7, lines 1-27, col. 8, lines 66-67, col. 9, lines 1-11, 44-55).

12. As per claim 8, Patel discloses wherein the authentication with the network utilizes processes corresponding to an Extensible Authentication Protocol, inherent in Patel because Patel discloses an AAA server that is used with RADIUS protocol (see col. 6, lines 66-67, col. 7, lines 1-5).

13. As per claims 9, 19, Patel discloses implemented by one of a client (mobile node) and a network server (AAA server/home agent) (see col. 5, lines 8-10).

14. As per claims 10, 20, Patel discloses implemented by one of a wireless client (i.e. mobile node) and a network server accessed via a wireless network (see col. 5, lines 16-18).

15. As per claim 12, Patel discloses wherein the programming instructions for storing the first application key in persistent storage at the network based server and the second application key in persistent storage at the client for subsequent retrieval to facilitate the authenticating an application (see col. 6, lines 66-67, col. 7, lines 1-14, col. 11, lines 55-67, col. 12, lines 1-9).

16. As per claim 13, Patel discloses wherein the programming instructions for generating a plurality of application keys where each of the plurality of keys is derived from the first and second dynamic seeds and corresponds to a different application (see col. 12, lines 9-33).

17. As per claim 15, Patel discloses wherein the programming instructions for providing a different application key every time the authenticating the application is required (see col. 9, lines 44-55).

18. As per claim 16, Patel discloses wherein the programming instructions for providing the first and second application keys and the first and second application keys further corresponds to a time duration within which the application key is valid (see col. 9, lines 25-33, col. 13, lines 8-11).

19. As per claim 17, Patel discloses wherein the programming instructions for providing a new dynamic seed each time an authentication with the network occurs, and for generating a new application key corresponding to the new dynamic seed and providing the new application key to facilitate the authenticating the application (see col. 5, lines 13-15, col. 7, lines 1-27, col. 8, lines 66-67, col. 9, lines 1-11, 44-55).

20. As per claim 18, Patel discloses wherein the programming instructions for completing the authentication with the network utilizes processes corresponding to Extensible Authentication Protocol with Subscriber Identity Module extensions (see col. 12, lines 9-20).

***Response to Amendment***

21. The Applicant replied to final action dated 2/5/09. The Applicant replied on 5/5/09 with a request for reconsideration. Applicant's arguments, see Remarks, filed 5/5/09, with respect to the rejection(s) of claim(s) 1-20 under Daly in view of Yahagi have been fully considered and are persuasive. A new ground(s) of rejection is made in view of Patel.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JENISE E. JACKSON whose telephone number is (571)272-3791. The examiner can normally be reached on Increased Flex time, but generally in the office M-Fri(8-4:30)..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on (571) 272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christian LaForgia/  
Primary Examiner, Art Unit 2439



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/J. E. J./  
Examiner, Art Unit 2439  
July 13, 2009